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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,038 06/30/2000		06/30/2000	Tetsuro Yoshioka	1110	
	7590	02/20/2004		EXAMINER	
WALKER & SAKO, LLP				RHODE JR, ROBERT E	
300 SOUTH	FIRST ST	TREET		ART UNIT	PAPER NUMBER
SAN IOSE CA 95113				3625	

DATE MAILED: 02/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Applicant(s)									
Examiner Rob Rhode -The MAILING DATE of this communication appears on the cover she I with the correspondenc address - THE REPLY FILED 09 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandomment of this application. A proper reply to a final rejection under 37 CPR 1.13 may only be either. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCC) in compilisation ewith 37 CPR 1.14. a) The period for reply expires		Application No.	Applicant(s)	4					
Examiner Rob Rhode 3025	Advisory Action	09/608,038	YOSHIOKA, TETS	rko '					
### THE REPLY FILED 09 February 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid shandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Motice of Appeal (with appeal fee); or (3) a timely filed Acquisition in condition for allowance; (2) a timely filed Motice of Appeal (with appeal fee); or (3) a timely filed Acquisition in condition (RCE) in compliance with 37 CFR 1.114. ### Application of the properties									
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The period for reply expiresmonths from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expirate than SIX MONTH'S from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEAT THE FIRST REPLY WAS FILED WITHIN TWO MONTH'S OF THE FINAL REJECTION. See MPEP TECHNOLOGY. The control of the period of the set of the set of the period of the period of extension and the corresponding amount of the fee. The appropriate extension fee under the period is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 30 CFR 1.176; a calculated from (1) the expiration alse of the shortened statutory period for reply originally set in the final obtaint or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any exerced patient term adjustment. See 37 CFR 1.704(b). A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. The proposed amendment(s) will not be entered because: (a) they raise new issues that would require further consideration and/or search (see NOTE below); (b) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) they are the deemed to place the application in condition	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued								
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37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal. 2.	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any								
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below); (b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims. NOTE:									
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10. Other:									



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Continuation of 5. does NOT place the application in condition for allowance because: the arguments are not persusasive with respect to the references. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). With regard to the IDS, the references that were lined through were not included/attached to the IDS.